

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
BRYSON CITY DIVISION**

**2:09cv48**

**JOSEPH ACEBAL,**

**Plaintiff,**

**Vs.**

**CAROLINA HOMES BY DESIGN, INC.,**

**Defendant and Third-Party  
Plaintiff,**

**Vs.**

**RICHARD SELLINO and COY MOUTON,  
d/b/a BACK 2 BACK HOME AND LAND  
SERVICES,**

**Third-Party Defendants.**

**ORDER**

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**THIS MATTER** is before the court on what has been docketed by defendant as their CIAC (#9), but which is such party's "Pre-Discovery Disclosure." Such document is clearly not a CIAC; rather, it is an initial disclosure . The Local Civil Rules provide as follows

**LCvR 26.2 DISCOVERY MATERIAL NOT TO BE FILED  
UNLESS ORDERED OR NEEDED.**

The parties shall not file any initial disclosures . . .

L.Cv.R. 26.2. Such pleading will be stricken as improvidently filed.

**ORDER**

**IT IS, THEREFORE, ORDERED** that docket entry #9 is **STRICKEN** as

improvidently filed.

Signed: September 28, 2009

Dennis L. Howell

Dennis L. Howell  
United States Magistrate Judge

